

EV 847359291 US

October 19, 2006

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By: 

Sarah M. Barnett



PATENT

Customer No. 22,852

Attorney Docket No. 06843.0028-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tsutomu ARAKAWA et al.

Application No.: 09/994,068

Filed: November 27, 2001

For: ANTIBODY-INDUCED
APOPTOSIS

Group Art Unit: 1642

Examiner: Laura B. GODDARD

Confirmation No.: 8561

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the enclosed IDS Form PTO/SB/08. This Information Disclosure Statement is being filed with a Request for Continued Examination.

Copies of the listed documents are enclosed. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the enclosed form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 19, 2006

By: Elisabeth Barek
Elisabeth Jaffe Barek
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CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

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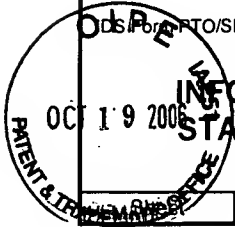
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 <p>USPTO/SB/08: Substitute for form 1449A/PTO</p> <p align="center">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p align="center">(Use as many sheets as necessary)</p> <p align="center">1 of 1</p>	Complete if Known	
	Application Number	09/994,068
	Filing Date	November 27, 2001
	First Named Inventor	Tsutomu ARAKAWA
	Art Unit	1642
	Examiner Name	Laura B. GODDARD
Attorney Docket Number	06843.0028-02000	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials*	Cite No.	Document Number Number-Kind Code (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document Country Code Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		DESHANE et al., "Intracellular single-chain antibody directed against erbB2 down-regulates cell surface erbB2 and exhibits a selective anti-proliferative effect in erbB2 overexpressing cancer cells lines," Gene Therapy, 1: 332-337 (1994).	
		GEORGE et al., "Redirection of T cell-mediated cytotoxicity by a recombinant single-chain fv molecule," Journal of Immunology, 152: 1802-1811 (1994).	
		GRUBER et al., "Efficient tumor cell lysis mediated by a bispecific single chain antibody expressed in Escherichia coli," Journal of Immunology, 152: 5368-5374 (1994).	
		HARRIS et al., "The induction of apoptosis in human mammary luminal epithelial cells by expression of activated c-neu and its abrogation by glucocorticoids," British Journal of Cancer, 72: 386-392 (1995).	
		KYAKUMOTO et al., "Co-expression of epidermal growth factor-receptor and c-erb B-2 proto-oncogene product in human salivary-gland adenocarcinoma cell line HSG and the implications for HSG cell autocrine growth," Archives of Oral Biology, 39(7): 569-580 (1994).	
		LIPPMAN et al., "The role of the erbB2 receptor and its ligands in human breast cancer," Journal of Immunotherapy, 14(4): 369 (1993).	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.